UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO		
UNITED STATES OF AMERICA,	:	Case No. 1:01-cr-172
Plaintiff,	: :	
vs.	: : :	ORDER
JAMES R. CHAMBERS,	· :	
Defendant.	: :	
	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

In March 2017, the Court denied James Chambers's petition for habeas corpus relief under 18 U.S.C. § 2255.¹ Relying on the Supreme Court's decision in *Beckles v. United States*,² the Court rejected Chambers's argument that the sentencing guidelines used to sentence him were void for vagueness.³ Chambers then moved for reconsideration of that order, arguing that *Beckles* did not apply to his case because he was sentenced before the Supreme Court's decision in *United States v. Booker*.⁴

The Court stayed the case pending the Sixth Circuit's decision in *Chubb v. United States*.⁵
The Sixth Circuit issued its decision in that case on January 8, 2018; however, it did not address the merits of the *Booker* issue.⁶ Instead, it relied on its earlier decision in *Raybon v. United States*⁷ to conclude that Chubb's petition was untimely.⁸

Though the parties have fully briefed Chambers's motion for reconsideration, they have

¹ Doc. <u>56</u>.

² 137 S. Ct. 886 (2017).

³ Doc. 56

⁴ Doc. <u>57</u> (citing United States v. Booker, 543 U.S. 220 (2005)).

⁵ 707 F. App'x. 388 (Mem) (6th Cir. 2018).

⁶ *Id.* at 388–89.

⁷ 867 F.3d 625 (6th Cir. 2017).

⁸ Chubb, 707 F. App'x at 390.

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not addressed the application of Raybon to this case.9

For those reasons, the stay in this case is lifted and the parties are **ORDERED** to file within

fourteen days of this order supplemental briefs addressing the proper application of the Sixth

Circuit's Chubb and Raybon decisions to this case. The parties' supplemental briefs are not to

exceed ten pages in length.

IT IS SO ORDERED.

Dated: February 15, 2018 s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

⁹ See Doc <u>57</u>; Doc. <u>59</u>; Doc. <u>61</u>.

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